December 29, 2000 Filing Date Terminal Disclaimer to Obviate a Double First Named Inventor Mody Pateriting Rejection Over a Prior Patent Examiner Shay, David M. 3735 Group Art JAN 3 1 2007 GUID-117 (FMT1P028) Attorney Docket No. 100 percent interest in the AFX, Inc. instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior 6,245,062 . The owner hereby agrees that any patent so granted on the Patent No. instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or box 2, if appropriate. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the 1. 厂 undersigned is empowered to act on behalf of the organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. 02/02/2007 SSANDARA 00000011 09751472 130.00 OP 02 FC:1814 マ 2. The undersigned is an attorney or agent of record. The Commissioner is authorized to charge a Terminal Disclaimer fee of other required fees including extensions of time to Deposit Account No. 50-2653. A duplicate copy is attached. SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED Alan W. Cannon 34,977 Name (Print/Type) Registration No. ver Date Signature Law Office of Alan W. Cannon 942 Mesa Oak Court Firm Name Address Sunnyvale California 94086 408-736-3564 Telephone - Direct Dial 408-736-3554 Facsimile CERTIFICATE OF MAILING OR TRANSMISSION I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Name (Print/Type) Maria J. Sousa Signature Date

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